

CADDELL CONSTRUCTION CO.

CONTRACT NO. V101C-C0071

VABCA-6466-6472

VA MEDICAL CENTER
MARION, INDIANA

Martin R. Salzman, Esq., Hendrick, Phillips, Schemm & Salzman, Atlanta, Georgia, for the Appellant.

Millicent Gompertz, Esq., Trial Attorney; *Charlma J. Quarles, Esq.*, Deputy Assistant General Counsel; and *Phillipa L. Anderson, Esq.*, Assistant General Counsel, Washington, D.C., for the Department of Veterans Affairs.

ORDER ENTERING JUDGMENT

1. On February 12, 2004, the Respondent, Department of Veterans Affairs and the Appellant, Caddell Construction Company, in the above-referenced appeals filed a JOINT MOTION FOR JUDGMENT ON STIPULATED SETTLEMENT. The MOTION encloses a STIPULATION OF SETTLEMENT, executed on February 10, 2004, entered into by the parties concerning the appeals in VABCA-6466-6472.
2. The parties recite that they have amicably resolved the disputes that are the subject of these appeals and have entered into a STIPULATION OF SETTLEMENT in the above-referenced appeals and jointly move that the Board enter judgment for Appellant in the amount of \$543,000 plus \$15,456 Bond Premium Fees and release by the Respondent of \$184,515 in retainage with extension of the contract completion date to the project completion. Additionally, the Appellant waives any right it may have to make any further claims arising out of or related to the above referenced Contract, including interest and attorney fees.
3. Inasmuch as the parties have stipulated the equitable adjustment due Appellant, Caddell Construction Company in VABCA-6466-6472, their JOINT MOTION FOR JUDGMENT ON STIPULATED SETTLEMENT is **GRANTED**. Appellant is found entitled to \$742,971 pursuant to the terms and conditions of the STIPULATION OF SETTLEMENT entered into by the parties.

IT IS SO ORDERED

DATE: **February 18, 2004**

RICHARD W. KREMPASKY
Administrative Judge